

**Minutes of the Carlisle Board of Health
December 9, 2008**

Present: Board Members Jeff Brem (Chairman), Chris Deignan, Bill Risso, and Michael Holland; Absent – Leslie Cahill; also present Linda Fantasia (Agent), Rob Frado (TCG), Paul Anagnostopoulos (Mosquito)

The meeting was called to order at 7:35 p.m. at the town hall.

ADMINISTRATIVE REPORTS (Fantasia)

Municipal Sewer Project – The proposed construction project did not make the Intended Use list. High scores were awarded to projects based on a study or intended to address a problem such as an enforcement order. Construction projects are the most competitive. Planning projects usually are funded but for smaller projects, it makes more sense for the town to pay for its own study and then use the study recommendations to apply for a project grant. Towns were required to have a current application under the Capital Policy Program. Points were awarded to Carlisle since its application was updated last August.

Trench Permits – There is a new public safety regulation, which requires trenches of a certain size to obtain a permit. The law does not apply to test pits, but some septic designs may fall under the regulation. The Board reviewed the new regulation and agreed that the standards were based on OSHA requirements. The Selectmen intend to appoint the Building Inspector as the permit granting authority for the town. If Frado notes that a septic design falls within the regulatory requirements, it will be added to the approval conditions. Notices about the new law will be sent to licensed installers. (Holland arrives)

HAM Operators – Resident Dave Willard would like to hold an informational night for local HAM operators to demonstrate the radios and solicit volunteers interested in setting up a local emergency preparedness group. The Board agreed to sponsor the meeting, which will be held sometime in January.

46 Lowell Road – Owner Steve Tierney submitted a requested for financial assistance in maintaining the filtration system at his home. The system removes MTBE contamination from the household water. The contamination is a result of a hazardous materials spill from the former Daisy Gasoline Station. The Daisys were ordered by DEP to install and maintain six filtration systems on affected wells. The Tierney's have been paying for their system for the past seven years. The Board agreed that the state has ordered the Daisys to pay for the upkeep of these systems. Although the Board has funds available to study water quality resources in town, the town should not consider this kind of financial assistance until all other legal remedies have been tried by the Tierneys. The town will continue to test the six wells during the bi-annual voluntary town testing. A letter will be sent to the Tierneys asking them to keep all of their records should the matter be taken under consideration later.

Emerson Hospital Catchment Drill – Fantasia participated in the drill, which was intended to test the call down list. The state alert system HHAN was used. The drill was successful but highlighted the need to have both an information contact to receive the details of the alert and a decision maker who can act on behalf of the town in a public health crisis. Fantasia is the current contact under the HHAN. Fantasia said it would be best to have a town hall staff person as the backup since Board members are not that familiar or have access to town hall, emergency plans, equipment or supplies. The Board agreed to consider a secondary information contact if Fantasia is unavailable. It makes sense to name and train a town employee but not town administrator, police chief or fire chief since they will have separate duties during an emergency.

Pertussis Case – a fifth grader was diagnosed with whooping cough. The state managed the case because it was in an active phase. Parents and teacher were notified. Close contacts were identified and some received prophylactic antibiotics. No additional cases have been identified.

Credit Card Payments – Fantasia spoke with Larry Barton. Not too many departments take credit cards, mainly the school lunch program and recreation department. The Board would need to set up a payment

system with an outside provider. There would be a cost. Residents could pay online but since applications cannot be completed on line, they would still need to mail them in. Either the Health Dept or the Treasurer's Office would need to have a credit card machine. There are still a number of details to work out. There may be more interest in this in the future.

MDPH Intern – the Board agreed to apply for another intern to continue work on emergency plans and neighborhood networks. Applications are due 1/16/09.

Minutes – next meeting.

BUDGET DISCUSSION - David Guarino, Finance Committee, met with the Board. Guarino explained that his committee is proposing another zero growth budget. The committee is interested in how this will affect departments. The Board is invited to the next meeting on 12/17/08 when the committee will set the recommended guideline. Risso said this is the third year of no growth budget for the Board. This cannot continue if the Board is to carry out its work. Brem said that salaries account for the largest part of the budget. There is very little discretionary funding. Risso said it would only take one special nursing case to overrun the budget. There is no way of predicting special circumstances. If the state had not decided to manage the case of whooping cough at the school, there could have been a budget overrun this year. Operating funds have decreased the past three years with \$4500 in FY08, \$3171 in FY09, and \$1338 in FY10 after salary adjustments for cost of living adjustment. Brem noted that the Board returned approximately \$400 to the general fund from FY08 because of good management. The current budget is on target but with no guarantees. Brem said the only positive note is that the Board has applied for and been approved for the state's septic loan program. Not only will this provide low interest loans to homeowners needing to replace failed septic systems, but also it includes a \$20,000 start up grant to the community. The Board hopes to be able to use this to offset some of the salary costs. The Board also increased the interest rate from two to five percent to cover the cost of ongoing administration. With these efforts, the Board is hoping to stay within the guideline.

Brem asked if the Finance Committee would support the Board's request for an additional two hours per week for its Administrative Assistant. The hours will be paid out of the state grant and septic loan program. From an economic point, it makes good sense during these difficult times. Guarino said he would mention it. He also noted that many departments have asked to meet with the committee to explain how their departments will be affected. Brem said he did not see that the Board needed to attend. The Board will make every effort to stay within the guidelines, but the finance committee needs to understand that it will not be possible the following year.

Guarino said the committee is interested in how the revolving funds are working. The Board said that its 53E account is used mainly for engineering costs. Fees are paid into the account and held until the work is done. The board is planning to increase the spending cap, which is currently set at \$50,000. Hannover Hill includes 35 houses being developed. This would cause a large jump in the money being held in the account. Guarino and the Board reviewed the current 53E account. The balance is currently \$21204, which is consistent with the opening balance. This equal flow into and out of the account, which is to be expected if fees and expenses are in balance.

In summary, the Board felt it would be able to stay within a zero growth budget for one more year, but warned that there is always the possibility of an unknown expense, particularly in the nursing line item. If this were the case, the Board would need to pay for the immediate cost and then look to the town for reimbursement. A few years ago, there was a case of TB, which overran the nursing line item to a significant amount. Guarino said he understood that there is no way of anticipating this type of expense. He thanked the Board for the input.

BILLS – It was moved (Risso) and seconded (Holland) to approve the bills as presented. Motion passed 4-0-0.

PH 151 SUNSET ROAD – replacement of a failed soil absorption system requiring waivers. Present for the hearing was Neil Gorman (David Ross Associates) and Mr. and Mrs. Gladstone, owners.

It was moved (Risso) and seconded (Deignan) to open the public hearing. Motion passed 4-0-0. Neil Gorman spoke on behalf of the applicants. Abutter notification cards were submitted. Gorman explained that the Board had previously issued a construction permit for a replacement system, which included waivers for a reduction in separation to groundwater and reduction in separation to groundwater from inlet and outlet septic tank pipes. The owners had hoped to have the system in last fall but there were delays. The owners are now requesting similar waivers for a Presby-Enviro alternative technology system. The redesign will benefit from a smaller leaching area. It will be in the same location. No changes have been made to the tanks compared to the previous approval. The applicant is asking for two waivers under local upgrade approval: reduction in separation to groundwater from four to two feet; reduction in required twelve-inch separation between inlet and outlet tees of tanks and groundwater. DEP must approve the plan since two waivers are being requested. Local approval is required prior to submittal to DEP.

The design is based on groundwater at 26" and a 6-mpi percolation rate. It is not possible to raise the tanks to the required elevation due to the existing plumbing coming from the house. The proposed location is a result of offsets to the well and wetlands and the existing of shallow ledge in alternative test pits. The proposed design will also benefit the aesthetics and appearance of the property by reducing the mounding required for the system. Brem asked whether a Title 5 Inspection Report was submitted for the existing system. Gorman said that a Title 5 Inspection was not done, however the failure was documented by the design engineer who observed that the distribution box was completely flooded at the time of his preliminary site visit. Risso asked whether they had considered a drip system. Gorman said they had but it was rejected due to the cost of the system, which requires mechanical pre-treatment and ongoing monitoring. The benefit did not outweigh the costs of the drip system over the Presby.

Frado asked whether the items from his initial review were addressed. Gorman said the plan before the Board includes the revisions. The retaining wall has been replaced with a polyethylene barrier. The other notes were added to the details on the plan. The existing tank will be pumped, filled and crushed in place. Brem asked about waterproofing the bell joints in the tanks. Frado said hydraulic cement is required. Gorman said the high vent would be located in the woods to decrease its visibility. It may be connected to a tree. There were no further comments from the Board and no comments from the public.

It was moved (Deignan) and seconded (Risso) to close the public hearing.

The Board agreed that based on the information provided, the waivers requested were justified. Full compliance is not feasible given the constraints of the site and an equivalent protection is provided in the proposed design. Approval is conditional upon a final review and approval of the revised plan by the Board's consultant and approval by DEP.

It was moved (Risso) and seconded (Deignan) to grant a waiver for 151 Sunset Road under local upgrade approval for reduction in separation to groundwater from four to two feet. Motion passed 4-0-0.

It was moved (Risso) and seconded (Deignan) to grant a waiver for 151 Sunset Road under local upgrade approval for reduction in distance to groundwater for inlet and outlet septic tank pipes. Motion passed 4-0-0.

FERNS COUNTRY STORE – Annual Food Establishment Permit. Present for the discussion was Larry Bearfield, property manager.

The store was inspected by Gabi White of the Concord Health Department on 11/20/08. Bearfield addressed the items noted on the inspection form. Staff has been trained on how to prepare the sanitizer. Cleaning will be improved. The basement freezer will be replaced when the store is renovated tentatively scheduled for completion by 7/1/09. It is maintaining temperature. Temperature logs are available. The first step in the construction plan is to relocate the septic tank. This will depend on whether the ground is frozen. The Board

was not optimistic that this would be done before March or April. The Board agreed that the freezer could remain until June 1 as long as it maintains temperature. Bearfield explained that both his and Robin's Food Safe Certifications expired on the day of the inspection. They are scheduled to take the class on 12/10/08. He agreed that the Person in Charge needs to be better trained. They will be sending three other employees to the training course. Hopefully with five Certified Food Protection Managers there will always be one onsite. Bearfield also noted that all staff is taking an online sanitation course offered by the Mass. Restaurant Association. This will improve the operation of the food establishment. He understands that it does not replace the CFPM, which is a Food Code requirement. Bearfield provides a training manual to all new staff as an added level of protection. Bearfield noted that the inspection report indicated a lack of an HACCP. There is one on record. The Board asked whether he had obtained his Annual Victualler's License. Bearfield said it was issued by the Selectmen at their last meeting. (Holland left the meeting). There were no further questions from the Board.

It was moved (Risso) and seconded (Deignan) to issue an annual Food Establishment Permit to Fern's Country Store, which will expire on 12/31/09. Motion passed 3-0-0.

DISCUSSION ITEMS

Mosquito Control Program – Brem reported on his meeting with the Conservation Commission. The questions raised were significant and well researched. Of particular importance to the Commission was the question of whether there is scientific proof that a mosquito control program reduces the incidence of West Nile Virus and/or EEE. Questions again were raised on whether the application Bti via genetically modified corn kernels influenced organic properties. Initially the Board was considering placing the question of whether to join a program before the Special Town Meeting in January. This town meeting has been delayed until later in the year. Brem suggested that because of the number of questions being raised, the Board may need to do more investigation into the pros and cons of the program before taking a position. Brem stressed that the Board is not trying to decide on behalf of the town, but to make sure residents have accurate information in order to make an informed decision. Ultimately, it is up to the town to decide, not the Board of Health. Brem suggested that it would be helpful to have an independent expert answer the questions raised. Fantasia will follow up. Risso said he is concerned that residents are only considering the nuisance impact of mosquitoes, rather than a health benefit. Chances of contracting WNV and resulting in a serious illness are low. The Board agreed that Lyme Disease was a more significant health risk, but presently there is no treatment for ticks whereas there is something that can be done about mosquitoes.

180 Prospect Street – the owner has agreed to allow the Board to install a groundwater monitoring well. Frado located the well on the plan. He will check the site with the owner and the septic system installer.

Water Supply Regulations – the Board agreed to review the current draft and work on it at the next meeting. Of particular importance to include will be irrigation wells and well fields. The Board wants the local regulations to address more than single-family private wells.

Meeting Dates: 12/23/08 will be cancelled since no public hearing requests have been filed. New dates: 1/13/09, 1/27/09, 2/10/09, 3/3/09, 3/17/09, 4/7/09.

Board Membership: Terms expire for Holland and Cahill.

There was no further business. Meeting voted to adjourn at 9:45 pm.

Respectfully submitted,

Linda Fantasia
Recorder